

and Atmospheric Administration, August 24, 1995.

The National Institutes of Health, National Institute of Standards and Technology and National Oceanic and Atmospheric Administration advise that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

Frank W. Creel

Director, Statutory Import Programs Staff
[FR Doc. 95-23886 Filed 9-25-95; 8:45 am]

BILLING CODE 3510-DS-F

Woods Hole Oceanographic Institution, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 95-059. *Applicant:* Woods Hole Oceanographic Institution, Woods Hole, MA 02543-1522.

Instrument: Noble Gas Mass Spectrometer, Model MAP 215-50. *Manufacturer:* Mass Analyzer Products, United Kingdom. *Intended Use:* See notice at 60 FR 39711, August 3, 1995.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* The foreign instrument provides: (1) a background of less than 5.0×10^{-14} cm³ STP for M/e 36 and less than 10^{-15} cm³ STP for M/e 132 and (2) capability for simultaneous measurement of 40 Ar and 36 Ar.

These capabilities are pertinent to the applicant's intended purposes and we know of no other instrument or apparatus of equivalent scientific value

to the foreign instrument which is being manufactured in the United States.

Frank W. Creel

Director, Statutory Import Programs Staff
[FR Doc. 95-23887 Filed 9-25-95; 8:45 am]

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[A-583-605]

Carbon Steel Butt-Weld Pipe Fittings From Taiwan; Final Results of Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On December 22, 1994, The Department of Commerce (the Department) published the preliminary results of its 1992-1993 administrative review of the antidumping duty order on carbon steel butt-weld pipe fittings from Taiwan. The review covers four manufacturers/exporters of the subject merchandise to the United States during the period December 1, 1992, through November 30, 1993. Our review indicates the existence of dumping margins.

We gave interested parties an opportunity to comment on our preliminary results. Based on our analysis of the comments received, we have adjusted the margins of two manufacturers for these final results.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Carlo G. Cavagna or Zev Primor, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230, telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION:

Background

On December 17, 1986, the Department published in the Federal Register (51 FR 45152) the antidumping duty order on carbon steel butt-weld pipe fittings from Taiwan. On November 26, 1993, the Department published (58 FR 62327) a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order for the period December 1, 1992, through November 30, 1993. The Department received a timely request from the petitioner, the U.S. Butt-Weld Fittings Committee, to review C.M. Pipe Fitting Manufacturing Co., Ltd. (C.M.), Rigid

Industries Co., Ltd. (Rigid), Chup Hsin Enterprises (Chup Hsin), and Gei Bey Corporation (Gei Bey). The Department initiated an administrative review on January 18, 1994 (59 FR 2593).

On December 22, 1994, the Department published in the Federal Register (59 FR 66001) the preliminary results of its administrative review. The period of review (POR) covers December 1, 1992, through November 30, 1993.

Applicable Statute and Regulations

The Department has completed these administrative reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

Scope of the Review

Imports covered by this review are shipments of carbon steel butt-weld type pipe fittings, other than couplings, under 14 inches in inside diameter, whether finished or unfinished, that have been formed in the shape of elbows, tees, reducers, and caps, and if forged, have been advanced after forging. These advancements may include one or more of the following: coining, heat treatment, shot blasting, grinding, die stamping, or painting.

Carbon steel butt-weld pipe fittings are currently classifiable under Harmonized Tariff Schedule (HTS) item number 7307.93.3000. The HTS subheading is provided for convenience and for U.S. Customs purposes. The written description remains dispositive as to the scope of the product coverage.

Best Information Available

In accordance with section 776(c) of the Act, we have determined that the use of best information otherwise available (BIA) is appropriate for certain firms. The Department's regulations provide that we may take into account whether a party refuses to provide information (19 CFR 353.37(b)). For purposes of these reviews, we have used the most adverse BIA—generally, the highest rate for any company for this same class or kind of merchandise from this or any prior segment of the proceeding—whenever a company refused to cooperate with the Department or otherwise significantly impeded the proceeding. See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From the Federal Republic of Germany, et. al.; Final Results of Antidumping Duty Administrative Review, 56 FR 31692, 31704 (July 11,

1991); *see also Allied-Signal Aerospace Co. v. United States* 996 F.2d 1185 (Fed. Cir. 1993).

Because Chup Hsin and Gei Bey failed to respond to the Department's questionnaire, we have used the highest rate ever found in this proceeding to establish their margins. This rate is 87.30 percent, which was also used for these two firms in the LTFV investigation when they failed to respond in that stage of the proceeding. Chup Hsin and Gei Bey did not comment on the use of BIA in the preliminary results of this administrative review.

Analysis of Comments Received

We received case and rebuttal briefs from C.M., Rigid, and from the petitioner, the U.S. Butt-Weld Fittings Committee. These comments are summarized and analyzed below.

General Comments

Comment 1: C.M. and Rigid contend that, for the preliminary results, the Department incorrectly deducted U.S. commissions and U.S. direct selling expenses from U.S. price (USP), rather than adding them to foreign market value (FMV).

Department's Position: We agree with C.M. and Rigid that U.S. selling expenses and commissions should not have been deducted from USP, and instead should have been added to FMV. We have corrected our error for both C.M. and Rigid.

Comment 2: Petitioner argues that no adjustment for the 5% Taiwan VAT was made for any margin calculations involving constructed value. As a result, Petitioner concludes that the preliminary dumping margins calculated by the Department are understated. Rigid responds that the Department made the correct VAT adjustments for the preliminary results.

Department's Position: We disagree with Petitioner. The Department does not adjust for VAT in comparisons involving constructed value. *See, e.g., Avesta Sheffield, Inc. v. United States*, Slip Op. 94-53, at 2 (March 31, 1994). However, upon review of the preliminary margin programs for Rigid and C.M., it appears that a VAT adjustment was made to USP in cases where FMV was based on constructed value. For these final results, we have not made a VAT adjustment to either USP or FMV where FMV is based on constructed value.

Comment 3: Petitioner asserts that, for the preliminary results, the Department failed to deduct indirect selling expenses from home market price (HMP) for the purposes of conducting

the below cost test. Petitioner suggests that the Department should deduct indirect selling expenses from HMP and total cost of production (COP). Rigid responds that because indirect selling expenses are built into its reported COP, it is not necessary to deduct them from HMP.

Department's Position: We disagree with Petitioner. As noted by Rigid, indirect selling expenses are included in both the COP and HMP reported by Rigid and C.M. (See C.M. Response to Section VIII of the Questionnaire (August 10, 1994), at 24 and at exhibit D-13; *see also* Rigid Response to the Questionnaire (April 6, 1994), at 42 and at exhibit 13.) Therefore, it is not necessary to deduct indirect selling expenses from either HMP or COP to ensure that an accurate comparison is being made.

Comments Regarding C.M. Pipe Fitting Manufacturing Co.

Comment 4: C.M. alleges that the Department's margin and cost programs for the preliminary results incorrectly deleted several home-market sales from C.M.'s home market database due to a programming error.

Department's Position: We agree with C.M. and have corrected this error.

Comment 5: C.M. argues that the Department's margin program for the preliminary results incorrectly calculated imputed credit for U.S. sales based on sale dates, rather than shipment dates.

Department's Position: We agree, and have recalculated C.M.'s U.S. imputed credit expenses based on shipment dates.

Comment 6: Petitioner argues that C.M.'s preliminary margin program shows that the Department was not able to calculate margins for a small number of U.S. sales because they could not be matched to an FMV. Petitioner states that C.M.'s failure to report FMVs for these sales warrants the application of BIA to these sales.

Department's Position: We agree with Petitioner that C.M.'s preliminary margin program did not calculate margins for a small number of U.S. sales. However, we disagree that the use of BIA is warranted. The problem outlined by Petitioner was caused by a programming error in C.M.'s preliminary margin program (*see Comment 4*) and has been corrected for these final results.

Comment Regarding Rigid Industries:

Comment 7: Petitioner argues that the Department's preliminary margin program failed to properly adjust FMV for the 5% Taiwan value-added tax

(VAT) in price-to-price comparisons. Rigid responds that the Department's Preliminary Results Analysis Memorandum states that both USP and FMV were adjusted for the 5% and that no other adjustment is necessary.

Department's Position: Although the Preliminary Results Analysis Memorandum states that both USP and FMV were adjusted for the 5% Taiwan VAT (*see* Memorandum to the File, December 27, 1994), only USP was adjusted in the preliminary margin program. We have corrected this error for the final results by adjusting both USP and FMV for the 5% VAT in price-to-price comparisons, in accordance with our practice as outlined in *Silicomanganese from Venezuela*, Preliminary Determination of Sales at Less Than Fair Value, 59 FR 31204 (June 17, 1994).

Final Results of Review

As a result of our analysis of the comments received, we determine that the following margins exist for the period December 1, 1992, through November 30, 1993:

Manufacturer/exporter	Percent margin
Chup Hsin Enterprises	87.30
C.M. Pipe Fittings	5.55
Gei Bey Corporation	87.30
Rigid Industries	4.38
All Others	49.46

Interested parties may request disclosure within five days of the date of publication of this notice.

The Department shall instruct the U.S. Customs Service to liquidate all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. The Department will issue appraisal instructions with respect to each exporter.

Furthermore, the following deposit requirements will be effective for all shipments of carbon steel butt-weld pipe fittings entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed companies will be those rates established in these final results; (2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) If the exporter is not a firm covered in this review, but the manufacturer is, the cash deposit rate will be the rate established in this review for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rates will be 49.46%, the all other rate established in the LTFV investigation (51 FR 37772). These deposit requirements will remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is subject to sanction.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated September 13, 1995.

Susan G. Esserman,
Assistant Secretary for Import Administration.

[FR Doc. 95-23790 Filed 9-25-95; 8:45 am]

BILLING CODE 3510-DS-P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of an Import Limit for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Costa Rica

September 22, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing a limit.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade

Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715. For information on categories on which consultations have been requested, call (202) 482-3740.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

A notice published in the Federal Register on August 2, 1995 (60 FR 39366) announces that if no solution is agreed upon in consultations between the Governments of the United States and Costa Rica on Categories 351/651, the Committee for the Implementation of Textile Agreements may establish a limit at a level of not less than 170,979 dozen for the twelve-month period beginning on June 29, 1995 and extending through June 28, 1996.

Inasmuch as no agreement was reached during the consultations held June 1-2 and August 17-18, 1995 on a mutually satisfactory solution, the United States Government has decided to control imports in Categories 351/651 for the period beginning on June 29, 1995 and extending through June 28, 1996 at a level of 170,979 dozen.

This action is taken in accordance with the Uruguay Round Agreement on Textiles and Clothing and the Uruguay Round Agreements Act.

The United States remains committed to finding a solution concerning Categories 351/651. Should such a solution be reached in consultations with the Government of Costa Rica, further notice will be published in the Federal Register.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 59 FR 65531, published on December 20, 1994).

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 22, 1995.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), the Uruguay

Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on September 26, 1995, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton and man-made fiber textile products in Categories 351/651 produced or manufactured in Costa Rica and exported during the period beginning on June 29, 1995 and extending through June 28, 1996, in excess of 170,979 dozen¹.

Textile products in Categories 351/651 which have been exported to the United States prior to June 29, 1995 shall not be subject to this directive.

Import charges will be provided at a later date.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 95-23936 Filed 9-25-95; 8:45 am]

BILLING CODE 3510-DR-F

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of Proposed Information Collection Requests.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 27, 1995.

ADDRESSES: Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202-4651, or should be electronic mailed to the internet address #FIRB@ed.gov, or should be faxed to 202-708-9346.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708-8196. Individuals who use a

¹ The limits have not been adjusted to account for any imports exported after June 28, 1995.